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April 29, 2025

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: _____
 DATE FILED: 4/30/2025

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Via ECF

Honorable Valerie E. Caproni, U.S.D.J.
 United States District Court for the Southern District of New York
 Daniel Patrick Moynihan U.S. Courthouse
 500 Pearl Street
 New York, New York 10007

**Re: Xavier Bishop v. National Railroad Passenger Corporation
 USDC – SDNY, Civil Action No.: 1:24-cv-05736-VEC
 RABS File No.: 507-3902**

Your Honor:

As you are aware, this firm represents Plaintiff Xavier Bishop in the above referenced matter. I write on behalf of the parties to update the Court on the status of discovery and the health of Mr. Bishop, as requested in the March 31, 2025 Order.

On Friday March 14, 2025, Mr. Bishop suffered a severe and debilitating stroke. Mr. Bishop was admitted to Kings County Hospital, in Brooklyn, New York, as an “in patient” from March 14, 2025 through April 13, 2025. Currently, Mr. Bishop is living with his mother because he cannot function and live on his own. Additionally, he is undergoing at-home physical therapy. During conversations with Mr. Bishop, it has remained apparent that his cognitive and physical abilities are not sufficient to allow him to competently give a deposition. Additionally, considering Mr. Bishop’s current cognitive and physical limitations, finalizing expert discovery may be difficult for Plaintiff, and his condition will prevent Defendant from having a meaningful opportunity to participate in expert discovery.

Since March 31, 2025, Plaintiff has provided written responses to Amtrak’s First Set of Interrogatories and Requests for Production of Documents; and Defendant has provided written responses to Plaintiff’s First Set of Interrogatories and Requests for Production of Documents. Counsel for Plaintiff acknowledges that the Answers to Amtrak’s First Set of Interrogatories are not verified. Mr. Bishop cannot verify his written Answers, given his current cognitive and physical condition. However, fully reserving the attorney client communication privilege, all the information contained in Plaintiff’s Answers is based on information obtained from Plaintiff prior to his March 14, 2025 stroke.

Honorable Valerie E. Caproni, U.S.D.J.

April 29, 2025

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For the foregoing reasons, the parties respectfully request that the Court enter an order staying this matter for three (3) months in the hopes that Mr. Bishop recovers sufficient function to appear for deposition and, if necessary, an independent medical examination.

With kindest regards, I remain

Very truly yours,
ROME, ARATA, BAXLEY & STELLY, L.L.C.

/s/ W. Chad Stelly
W. CHAD STELLY, ESQ.

WCS/

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Marc Wietzke, Esq.

Application GRANTED. This case and all outstanding deadlines are STAYED pending updates on Plaintiff's health. By **Wednesday, July 30, 2025**, the parties must submit a status report indicating whether the stay should be lifted.

SO ORDERED.



4/30/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE